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Approved for use through 10/31/2002. OMB 0651-0032

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JC946 U.S. PTO
07/24/01UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 81994/282402

First Inventor Rôgers, Jack

Title The Translation Enhancer Element

Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27.

3. Specification [Total Pages 23]
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) [Total Sheets]

5. Oath or Declaration [Total Pages 3]

- a. Newly executed (original or copy)
- b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- a. Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
- c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))

10. 37 CFR 3.73(b) Statement Power of (when there is an assignee) Attorney

11. English Translation Document (if applicable)

12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

15. Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No. 09,188,118

Prior application information: Examiner S. Turner

Group Art Unit: 1647

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	 (Insert Customer No. or Attach bar code label here)			<input type="checkbox"/> Correspondence address below
Name				
Address				
City		State		Zip Code
Country		Telephone	703/905-2173	Fax 703/905-2500

Name (Print/Type)	Michael A. Sanzo	Registration No. (Attorney/Agent)	36,912
Signature	Michael A. Sanzo		Date July 24, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 710.00)

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Rogers, Jack
Examiner Name	
Group Art Unit	
Attorney Docket No.	81994/282402

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-3975
Deposit Account Name Pillsbury Winthrop LLP

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	710
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	
SUBTOTAL (1) (\$)			710

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X =	
Multiple Dependent	-3** =	X =	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	390	216	195 Extension for reply within second month	
117	890	217	445 Extension for reply within third month	
118	1,390	218	695 Extension for reply within fourth month	
128	1,890	228	945 Extension for reply within fifth month	
119	310	219	155 Notice of Appeal	
120	310	220	155 Filing a brief in support of an appeal	
121	270	221	135 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,240	241	620 Petition to revive - unintentional	
142	1,240	242	620 Utility issue fee (or reissue)	
143	440	243	220 Design issue fee	
144	600	244	300 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR 1.17(q)	
126	180	126	180 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
146	710	246	355 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355 For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify) _____				

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	Michael A. Sanzo	Registration No. (Attorney/Agent)	36,912	Complete (if applicable)
Signature	<i>Michael A. Sanzo</i>			Date <i>July 24, 2001</i>

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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10/42/01
J1003 U.S. PTO



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10/42/01
JC879 U.S. PTO

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July 24, 2001

Assistant Commissioner for Patents
BOX Patent Application
Washington, DC 20231

Re: Continuation Patent Application
(Division of U.S. No. 09/188,118)
Appl. No.: to be assigned
Filing Date: herewith
Title: **The Translation Enhancer Element of the
Human Amyloid Precursor Protein Gene**
Inventor(s): Rogers, Jack
Atty. Dkt.: 81994/282402

Sir:

The following documents are being forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Form PTO/SB/05, Utility Patent Application Transmittal;
2. A true copy of the latest inventor-signed application, application no. 09/188,118, as filed in the U.S. Patent and Trademark Office on November 9, 1998, and naming as inventor:

Jack Rogers

the application comprising:

20 pages of specification (numbered as pages 1-20),
2 pages of claims (numbered as pages 21-22), and
a one-page abstract (numbered as page 23);

3. A copy of the Declaration (37 C.F.R. § 1.63) and Power of Attorney executed by inventor Jack Rogers filed in the parent application (3 pages);



Assistant Commissioner for Patents

July 24, 2001

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4. Preliminary Amendment (2 pages);
5. Information Disclosure Statement (2 pages);
6. List of References Cited by Applicant (5 pages);
7. A copy of the recorded Assignment to Brigham and Women's Hospital executed by inventor Jack Rogers filed in the parent application and (4 pages);
8. Form PTO/SB/17, Fee Transmittal for FY 2001;
9. Our check in the amount of \$710.00, representing the filing fee for this matter; and
10. Two (2) return postcards.

It is respectfully requested that the enclosed postpaid postcards be stamped with the date the enclosed documents are received by the PTO and with the application number, and that they be returned as soon as possible.

In accordance with the requirements of 37 C.F.R. § 1.53(b), the present divisional application is being filed under the conditions specified in 35 U.S.C. § 120. The inventors named on this divisional application are the same as the inventors named on the parent and the application is being filed before the patenting, or abandonment of, or termination of proceedings of the parent application (09/188,118). The undersigned hereby verifies that the enclosed is a copy of the latest inventor-signed prior application, including the oath or declaration as originally filed (application no. 09/188,118, filed on November 9, 1998 and to which priority is claimed). The undersigned further asserts that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title XVIII of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

We are submitting an Information Disclosure Statement which cites references originally submitted in connection with U.S. 09/188,118. The present application relies upon 09/188,118 for priority under 35 U.S.C. § 120. Thus, in accordance with 37 C.F.R. § 1.98(d), copies of the



Assistant Commissioner for Patents

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listed references are not being resubmitted. If, for any reason, the examiner cannot locate a listed reference, Applicant will be happy to submit a copy as a courtesy.

The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment to our Deposit Account No. 03-3975.

Respectfully submitted,

PILLSBURY WINTHROP LLP

A handwritten signature in black ink that reads "Michael A. Sanzo".

Michael A. Sanzo
Attorney for Applicants
Reg. No. 36,912

MAS:ct
Enclosures